

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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CARMEN NIEVES, WENDY KEIRSTED,  
and LIZA LICHTINGER, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

THE PROCTER & GAMBLE  
COMPANY,  
Defendant.

Case No: 7:21-cv-00186-CS  
7:21-cv-05648-CS  
7:21-cv-05646-CS

**NOTICE OF MOTION TO DISMISS  
THE CONSOLIDATED  
CLASS ACTION COMPLAINT BY  
THE PROCTER & GAMBLE  
COMPANY**

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**PLEASE TAKE NOTICE** that, in accordance with the moving Memorandum of Law, and all pleadings heretofore, pursuant to Fed. R. Civ. P. 9 and 12(b)(6), Defendant The Procter & Gamble Company (“Defendant”) hereby moves before Judge Cathy Seibel, at the The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse located at 300 Quarropas St. White Plains, NY 10601-4150, for an Order dismissing with prejudice Plaintiffs’ Consolidated Class Action Complaint and for such other and further relief to Defendant as the Court deems just and proper.

Dated: November 12, 2021

Respectfully submitted,

/s/ John P. Hooper

John P. Hooper  
Eric F. Gladbach  
Jessica K. Shook  
King & Spalding, LLP  
1185 Avenue of the Americas, 34th  
Floor  
New York, NY 10036-2601  
Phone: (212) 556-2220  
Fax: (212) 556-2222  
jhooper@kslaw.com

egladbach@kslaw.com  
jshook@kslaw.com

***ATTORNEY FOR DEFENDANT  
THE PROCTER & GAMBLE  
COMPANY***

**CERTIFICATE OF SERVICE**

I certify that on November 12, 2021, a copy of the Procter & Gamble Company's Notice of Motion to Dismiss the Consolidated Class Action Complaint and the Memorandum of Law in Support of the Motion to Dismiss the Consolidated Class Action Complaint was served upon all counsel of record via e-mail and overnight delivery via UPS. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system upon service of the Reply in Support of the Motion to Dismiss. Parties may access this filing through the Court's system at that time.

/s/ Jason Bush

Jason Bush